?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
%DATED: 04.10.2018
*CORAM
THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN
+W.P.(MD)No.20801 of 2018

#S.Sakthivel
... Petitioner
Vs.
$1.The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Rep.by its Managing Director,
Kumbakonam.

2.The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.

3.The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai ~ 2.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to revise the petitioner-s scale of pay in the post of Checking Inspector from the scale of pay of Rs.5200 ~ 20200 + 2400 to the scale of pay of Rs.9300 ~ 34800 + 4300 with effect from 25.01.2014 in terms of settlement signed under Section 12(3) of ID. Act, dated 04.01.2018 and to direct the respondents to pay him difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of his retirement to till the date on which the actual payment is made within the time that may be stipulated by this Court.

!For Petitioner : Mr.A.Rahul
^For Respondents : Mr.D.Sivaraman for R1 and R2
Mr.A.P.Muthupandian, for R3

:Order
The petitioner seeks for a Writ of Mandamus, directing the respondents to revise the petitioner-s scale of pay in the post of Checking Inspector from Rs.5200 ~ 20200 + 2400 to Rs.9300 ~ 34800 + 4300 with effect from 25.01.2014 in terms of the settlement under Section 12(3) of Industrial Disputes Act dated 04.01.2018 and also to direct the respondents to pay difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of retirement of the petitioner to till the date of actual payment is made within the time limit.

2.Mr.D.Sivaraman, learned standing counsel takes notice for respondents 1 & 2 and Mr.A.P.Muthupandian, learned counsel takes notice for the 3rd respondent. By consent, the writ petition itself is taken up for final disposal.

3.The learned counsel for the petitioner submitted that it would suffice if the representation of the petitioner dated 06.08.2018 shall be disposed of in terms of the settlement under Section 12(3) of Industrial Disputes Act dated 04.01.2018.

4.In view of the limited scope of the prayer, without going into the merits of the matter, the respondents are directed to consider the representation of the petitioner, dated 06.08.2018 and pass appropriate orders thereon in the light of the settlement under Section 12(3) of Industrial Disputes Act dated 04.01.2018 and if the petitioner is found eligible the terminal benefits shall be paid within a period of three months from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition stands disposed of. No costs.

To

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam.

2.The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.

3.The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar Illam,
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